

**IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

**LASHUNDRA JACKSON,**

**Plaintiff,**

**v.**

**STATE OF ALABAMA DEPARTMENT OF  
TRANSPORTATION, JOE MCINNES, *etc.*,**

**Defendants.**

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**CASE NO. 2:07-cv-645-MEF**

**RESPONSE TO COURT'S ORDER**

COOME NOW Defendants, by and through their undersigned counsel, and in response to the Court's Order of July 14, 2008, (Doc. No. 32) regarding the filing of a "Notice Concerning Settlement Conference and Mediation," and states as follows:

1. On June 20, 2008, the parties met, face-to-face, and discussed the potential for settlement of this lawsuit and whether mediation would be helpful in resolving this matter. The parties concurred that, at this juncture in the proceedings, the potential for settlement was poor and mediation would not be helpful.

2. On June 23, 2008, undersigned counsel prepared a notice expressing the results of the face-to-face conference. A copy of this notice was e-mailed to Plaintiff's counsel for approval and/or revisions. Plaintiff's counsel approved the notice and requested that Defendants' counsel file this notice with the Court; Defendants' counsel agreed to do so.

3. Although Defendants' counsel thought that this notice had been electronically filed with the Court in a timely fashion, the Court's most recent order indicates that it had not. A copy of the notice is being filed contemporaneously with this response.

4. This late filing was not willful, but rather, an oversight.

RESPECTFULLY SUBMITTED

s/ Andrew W. Redd

Jim R. Ippolito, Jr. (IPP001)  
Chief Counsel

Andrew W. Redd (RED001)  
Assistant Counsel

**ADDRESS OF COUNSEL:**

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<b>LASHUNDRA JACKSON,</b>	)	
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<b>Plaintiff,</b>	)	
<b>v.</b>	)	
	)	<b>CASE NO. 2:07-cv-645-MEF</b>
<b>STATE OF ALABAMA DEPARTMENT OF</b>	)	
<b>TRANSPORTATION, JOE MCINNES, <i>etc.</i>,</b>	)	
	)	
<b>Defendants.</b>	)	

**CERTIFICATE OF SERVICE**

I hereby certify that, on **July 15, 2008**, I electronically filed the foregoing with the Clerk of the Court using the CM/ECT system, which will send notification to the following:

Mr. Kell A. Simon, Esq.  
Ross Melton, P.C.  
1104 San Antonio Street  
Austin, Texas 78701  
ATTORNEY FOR PLAINTIFF

s/ Andrew W. Redd  
Andrew W. Redd (RED001)  
Assistant Counsel

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